

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

REBECCA WILSON,
Plaintiff.

v.

CITY OF HOUSTON,
Defendant.

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Case No. _____

NOTICE OF REMOVAL

Defendant THE CITY OF HOUSTON (“Houston”), files this notice of removal pursuant to 28 U.S.C. Section 1441(a) and 1443, and in support thereof states as follows:

1. Plaintiff Rebecca Wilson (“Wilson”) filed her Original Petition in the 281st Judicial District Court of Harris County, Texas, Cause Number 2013-74000, on December 10, 2013, alleging that Houston discriminated against her on the basis of sex in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 USC 2000e et seq (“Title VII”). Wilson made a jury demand in state court.

2. Removal is proper because Wilson’s suit involves a federal question, 28 U.S.C. Sections 1331 and 1441(a), and because it is a civil rights case under Title VII, 28 U.S.C. Section 1443.

3. Venue is proper in this district court under 28 U.S.C. Section 1441(a) because the state court where the suit has been pending is located in this district.

4. Houston was served with process on December 20, 2013. Houston has filed this notice of removal within the 30-day time period required under 28 U.S.C. Section 1446(b)(1).

5. Copies of all pleadings, process, orders, and other filings in the state court action are attached to this notice as required by 28 U.S.C. Sections 1446(a) and 1447(b) and Local Rule 81 of the U.S. District for the Southern District of Texas.

6. Defendants will promptly file a copy of this notice and attachments in the state court. 28 U.S.C. Section 1446(d).

For the reasons stated above, Defendants the CITY OF HOUSTON respectfully requests the Court to remove the suit to the Southern District of Texas, Houston Division.

Respectfully submitted,

DAVID M. FELDMAN
City Attorney

LYNETTE K. FONS
First Assistant City Attorney

DONALD J. FLEMING
Section Chief, Labor, Employment & Civil Rights

/s/ Mayra Cuello
MAYRA CUELLO, Assistant City Attorney
SBN: 24074096
FIN: 1305683
City of Houston Legal Department
P.O. Box 368
Houston, TX 77001-0368
mayra.cuello@houstontx.gov
(832) 393-6270 TEL.
(832) 393-6259 FAX
ATTORNEY-IN-CHARGE

SUZANNE R. CHAUVIN
Senior Assistant City Attorney
FBN: 14512
TBN: 04160600
Phone No. 832-393-6219
suzanne.chauvin@houstontx.gov

City Attorney's Office
Labor, Employment and Civil Rights Section
P.O. Box 368
Houston, TX 77001-0368
Fax No. 832-393-6259
**ATTORNEYS FOR DEFENDANT
THE CITY OF HOUSTON**

CERTIFICATE OF SERVICE

I certify that on January 16, 2014, a copy of the foregoing document, Defendants Notice of Removal, was served by certified U.S. mail, return receipt requested, on the following attorneys for Plaintiff Rebecca Wilson:

Peter Costea
Three Riverway, Suite 1800
Houston, TX 77056
CMRRR

/s/ MAYRA CUELLO